



## State of Utah

### Department of Natural Resources

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*Executive Director*

### Division of Oil, Gas & Mining

MARY ANN WRIGHT  
*Acting Division Director*

JON M. HUNTSMAN, JR.  
*Governor*

GARY R. HERBERT  
*Lieutenant Governor*

March 25, 2005

CERTIFIED RETURN RECEIPT  
7099 3400 0016 8896 1393

Mr. Bob Jones  
Front Gate Homes  
5635 Waterbury Way, Suite C-100  
Salt Lake City, Utah 84121

Subject: In the Matter of Stop Work Conference, Findings, Conclusions and Order for the Front Gate Homes Quarry Unpermitted Site, Cessation Order MC-2005-03-01-01, M/035/022, Salt Lake County, Utah

Dear Mr. Jones:

On March 21, 2005, the Division of Oil, Gas and Mining (Division) held a Stop Work Conference at the Front Gate un-permitted site, M035/022 in Salt Lake County, Utah. The following individuals attended: Presiding: Mark Mesch, Acting Associate Director, Mining; Steve Alder, Attorney Generals Office; Daron Haddock, Permit Supervisor, Doug Jensen, and Paul Baker, Senior Reclamation Specialists with DOGM; Owner Bob Jones and Tom Gyuro; and Bruce R. Baird, attorney with Hutchings Baird and Jones.

The Findings and Conclusions and Order in this matter are based on information provided by the Division and Misters Jones and Gyuro in connection with this Stop Work Conference, and on information in the files of the Division.

#### FINDINGS & CONCLUSIONS

1. Cessation Order MC-2005-03-01-01 was issued 3/15/05 for 'Mining without a permit' and required all mining to cease.
2. In a phone call received March 15, 2005, Mr. Jones requested an on-site "inspection" (Stop work conference).
3. A Stop Work Conference was scheduled and held March 21, 2005 at 4:00 p.m., in accord with R647-6-102.4.

Bob Jones  
Page 2 of 3  
Findings and Conclusions  
M/035/022  
March 25, 2005

4. The question of Sand, Gravel and Rock Aggregate was raised and the Division provided the definition of the material.
5. It is concluded that rock and mineral material has been excavated from the site using mechanized equipment and some rock has been hauled from the site.
6. Based on the definition of sand, gravel and rock aggregate and the conditions observed on site, it was concluded that mining had in fact occurred without the necessary permit.
7. Mr. Haddock outlined the Mineral Regulatory Programs permitting process for small and large mines.
8. Mr. Jones stated that the activity in question was "earth forming" for a future housing development.
9. It was concluded that the housing development is still in the planning stage and has not received approval from Bluffdale City.
10. Mr. Jones and Mr. Baird asked what could be done to resume mining activity. A discussion ensued regarding a "rolling" small mine permit and bond to continue mining while applying for a large mine permit.
11. It was asked if Mr. Jones could delineate a five-acre area and restrict mining to that site while completing the permitting process for a large mine. He stated he could.
12. According to the regulations, mining could be allowed on a five-acre site once a small mine permit was submitted and approved along with an appropriate reclamation bond.
13. It is concluded from the information and documents examined, that mining had occurred on the site without a permit.
14. It is concluded by the Conference Officer that the Cessation Order is affirmed.

**ORDER**

1. Cessation Order MC-2005-03-01 (01), issued 3/15/2005, is hereby affirmed.

Bob Jones  
Page 3 of 3  
Findings and Conclusions  
M/035/022  
March 25, 2005

2. The Cessation Order is modified to allow a Small Mine Operation (SMO) Notice of Intent (NOI) to be submitted and a five-acre area delineated where the operator can continue operations once the permit is approved and the appropriate reclamation bond is in place.
3. This action would occur concurrently with the operators application for a large mine permit (LMO) and bond for the entire disturbance.
4. If the operator fails to comply with the permitting requirements, he will be ordered to begin complete reclamation of the entire disturbance.

If you wish to appeal this Order, you may do so by contacting the Division within 30 days of receipt. Please contact Penny Berry at 801-538-5257. If you have any questions regarding this letter, please contact Daron Haddock at 538-5325.

Sincerely,



Mark Mesch  
Acting Associate Director

MM:jb

cc: Daron Haddock, DOGM  
Paul Baker, DOGM

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